BOMBAY GAZETTE

VOLUME XXV.] WEDNESDAY, NOVEMBER 30, 1814. [NUMBER 1278.

SHERIFF'S SALE.

NOTICE IS HEREBY GIVEN,

THAT

On Friday, the 2d day of December next

AT 2 O'CLOCK

IN THE AFTERNOON,

Will be put to Sale

BY PUBLIC OUTCRY

IN THE

Sheriff's Office,

THE UNDERMENTIONED PROPERTY OF

Mr. Godwin P. Seward,

SUNDRY House-hold Furniture &c. Seized by a Virtue of a Writ of *Fieri Facias*, issuing out of the Honorable the Court of the Recorder of Bombay, at the Suit of COONVERJEE RUTTONJEE,

CONSISTING OF,

A Cheft of Drawers,
Trunks,
Tables,
Tents &c. &c.

G. W. MIGNAN,
SHERIFF.

BOMBAY TOWN HALL,
30th November- 1814.

RECORDER'S COURT.

ECC SIDE.

In the Goods of DENNIS MAHONY, *late a Lieutenant-Colonel in the Military Service of the Honourable East India Company, on their Bomba[y] Eſtabliſhment, deceaſed.*

NOTICE IS HEREBY G[IVEN.]

THAT, application h[ath] been made to the H[onourable the] Court of the Reco[rder] of [Bom]bay, that Letters *ad Colligen[da Bona]*, or administration be granted to WILLIAM KENNEDY Esq. Regiſter of the ſaid Court, in purſuance of the ſtatute in that caſe made and provided. —Dated 25th November, 1814.

HUNGERFORD,
PROCTOR.

RECORDER'S COURT.

ECC. SIDE.

In the Goods of THOMAS DAY, ESQ. *late a Senior Merchant in the Civil Service of the Honourable Eaſt India Company, on their Bombay Eſtabliſhment, deceaſed.*

NOTICE IS HEREBY GIVEN.

THAT, application hath this day been made to the Honourable the Court of the Recorder of Bombay, that Letters *ad Colligenda Bona*, or Adminiſtration, be granted to WILLIAM KENNEDY, Esq. Regiſter of the ſaid Court, in purſuance of the ſtatute in that caſe made and provided. —Dated 25th November, 1814.

HUNGERFORD,
PROCTOR.

RECORDER'S COURT.

ECC. SIDE.

In the Goods of W. FORBES ESQ. *of the Honourable Company's Civil Service, on their Bombay Eſtabliſhment, deceaſed.*

NOTICE IS HEREBY GIVEN.

THAT, application hath this day been made to the Honourable the Court of the Recorder of Bombay, that Letters *ad Colligenda Bona*, or Adminiſtration be granted to WILLIAM KENNEDY, Esq. Regiſter of the ſaid Court in purſuance of the ſtatute in that caſe made and provided, —Dated 25th November, 1814.

HUNGERFORD,
PROCTOR.

Advertiſement.

THE CREDITORS of AHBUTBHOY ALLEYBHOY *Borah* are requested to meet at the Office of Mr. BROWNE *Attorney* on Monday the 5th day of December next, at 12 o'Clock in order to appoint a *Truſtee* or *Truſtees* of his ESTATE and EFFECTS for the General Benefit of all the CREDITORS.—Dated this 29th day of November 1814.

Advertiſement.

THIS is to give Notice that BALCRUSTNA TRIMBUCKJEE, WISSWANATH TRIMBUCKJEE, SADASEW TRIMBUCKJEE, DOORGABHOY widow of the late TRIMBUCKJEE RAGOOJEE, & CRUSTNABHOY widow of the late ANUNTA TRIMBUCKJEE, the Heirs and repreſentatives of the ſaid TRIMBUCKJEE RAGOOJEE, late of Mahim Hindoo Inhabitant deceaſed have contracted with PANDOORUNG MANCOJEE, of Bombay for the purchaſe of an Oart ſituate in Mahim Woods called or known by the name and title of *Bendethaw*; containing five Wheels and bounded Eaſt by a public paſſage towards Mullmallah Tank: North by an Oart of DHACKJEE DADAJEE. If any perſon or perſons has or have any Claims on the ſame by way of mortgage or otherwiſe, he or they is and are hereby required to give Notice of the ſame to the ſaid purchaſer PANDOORUNG MANCOJEE, within the ſpace of fourteen days; after the expiration of which time, the ſaid purchaſe will be completed; and in default of ſuch Notice, the premiſes will not be conſidered as ſubject to any ſuch Claims in the hands of the purchaſer.

Bombay, 30th November, 1814.

LOST.

A White Pointer dog with a Brown mark over one Eye, ſhort thick tail, and anſwers to the name of BASTO, any perſon who will bring him to the Gazette Office will be handſomely rewarded.

Bombay, 30th November, 1814.

Boyce Kempt and Co.

WILL THIS DAY SELL

BY PUBLIC OUTCRY

At their Rooms

THE Effects of the late MAJOR CHARLES MILLINGCHAMP conſiſting of Houſehold Furniture, wearing Apparel and Wines.

Bombay, 30th November, 1814.

BAXTER, FERRAR & Co.

BEG leave moſt reſpectfully to inform their Cuſtomers and the Public, that they have purchaſed the Inveſtment of CAPTAIN WELTDEN, H. C. S. *Indus*, conſiſting of a general Aſſortment of Europe Goods, which will be expoſed for Sale by them as ſoon as received.

Bombay, 30th November, 1814.

FRENCH CLARET

AND

PORT WINE.

This day WEDNESDAY, the 30th Inſtant, *WILL BE EXPOSED FOR SALE,*

At Capt. Macdougall's,

AT MR. ADAMSON'S OLD OFFICE.

A FEW Hhds. of ſuperior FRENCH CLARET; Alſo, a ſmall quantity of genuine PORT WINE, in Casks, landing from the H. C. S. TIGRIS.

Bombay, 30th November 1814.

BOMBAY GAZETTE.

Wednesday, November 30th 1814.

GENERAL ORDERS.

By the Right Hon'ble the Governor in Council

BOMBAY CASTLE, NOVEMBER 19, 1814.

The following promotions are ordered to take place in the 4th Regiment Native Infantry in conſequence of Captain Leſter's reſignation of the Honorable Company ſervice.

Fourth Regiment N. I.

Captain Lieutenant Edward Frederick to be Captain of a Company, Lieutenant E. C. Lord to be Captain Lieutenant, and Enſign Thomas E Baynes to be Lieutenant, in ſucceſſion to Leſter reſigned.—Date of Rank, 15th November, 1814.

BOMBAY CASTLE 23D NOVEMBER, 1814.

Lieutenant Ft. Jameſon, who was attached to do duty with the Native Cavalry as Cornet, having been promoted to a Lieutenancy in the Corps of Infantry to which he belonged, the Right Honorable the Governor in Council is pleaſed to direct that he return to his Corps, and that Enſign A. N. Riddell of the 1st Regiment Native Infantry do duty with the Corps of Native Cavalry as cornet vice Jameſon.

By Order of the Right Hon'ble the Governor in Council.

J. FARISH, Sec. to Govt.

CIVIL APPOINTMENT.

DATED 10TH NOVEMBER 1814.

Mr. George Lukin to be Coroner, vice Borthwick deceaſed.

NAUTICAL CHRONICLE,

AND NAVAL REPORT.

BOMBAY.

ARRIVED.—November 25th, Ship Junarjun, Capt. John Benſon, from Calcutta.

Ditto.—26th, Ship Anne, Captain Robert Dickie, from Calcutta.

SAILED.—27th, Ship Fazel Kurim, Captain John Longland, to Calcutta.

Ditto.—28th, Ship Pembroke, Capt. George Roſs, to China.

The Gazette.

BOMBAY, NOVEMBER 30, 1814.

WE are happy in being this day, able to give the whole of the remainder of Lord Cochrane's trial, together with the account of a moſt intereſting converſation which took place, in the Houſe of Commons, on the 20th of June, relative to the propoſed marriage of the Princeſs Charlotte of Wales, with the Hereditary Prince of Orange.

We have been favoured with the following entertaining extract of a letter from an officer to his friend.

"I was travelling with a party of officers & a guard of Sepoys, we ſtopped to refreſh ourſelves, and, among the inhabitants of a village who came out to view us as objects of curioſity, one fellow was ſo unuſually audacious as to force himſelf into the Tent where we were dining, uſing ſtrange geſtures and making an extravagant noiſe. Having in vain endeavoured to learn his meaning, we ordered him out; he refuſed to go, and we then ordered the palanquin-bearers in attendance to force him out on his being thus removed to a ſhort diſtance from our tent, we ſoon heard a confuſed noiſe and lamentation, and were informed that this fellow, who pretended to be a devotee, had ſwooned away from the effect of pollution, in being touched by our palanquin-bearers, who were parriars.

"We rather laughed at this account; louder lamentations were heard, and word was brought that the man was dead; we went out and found a great many people aſſembled round the body, lamenting and complaining loudly of the outrage. It became neceſſary to order our Sepoys under arms, and the ſervants to be on their guard. We ſent for the head men of the village, and the body was thoroughly examined by the natives and pronounced to be dead; there certainly appeared no viſible ſigns of life; but the trifling injury he could have received by the handling, to overcome merely his own reſiſtance, and the abſurdity of a man's dying from the effect of fancied pollution, added to my experience of their powers of deception, perfectly ſatisfied my mind that this fellow was an impoſtor.

"Deſiring my brother officers to leave the buſineſs to my management, I acquainted the natives that I had an infallible means of knowing whether the man was dead or not; that, if there was

the least spark of life remaining, since the body had received no injury, I could restore him, though the remedy would be exceedingly severe. They wanted to remove him; but this I would not suffer, well knowing they might make any report they pleased concerning his death and create much trouble.

"I laid hold of his hand, and was some time before I could feel a pulse, which completely satisfied me; but I kept my own counsel. Again the people pressed forward tumultuously, with an apparent design to carry the body away by force; but, ordering the Sepoys to advance with fixed bayonets, I made them retire to a distance, suffering only the head men to remain. In vain did I endeavour to persuade them that the man counterfeited; until, finding nothing else would do, I assured them I possessed powers they had no conception of, and, without touching the body again, I would convince them of the man being still alive, by drawing a flame from his body, which they should see, and which would continue burning and consuming him unless he arose from the earth. My brother-officers listened with nearly as much attention as the natives.

"I sent my Dubash, Pannapa, to enjoin silence to the multitude, as a miracle was going to be performed by an European Bramin, which he assured them I was, (knowing I had officiated as a chaplain.)

"Ordering my travelling escrutoir to be brought, I placed it near the man's head and took from it a wax taper, a small match, & little bottle; articles I carried for the convenience of getting a light when wanted: I also took out a bit of sealing wax, wrapped within a piece of white paper, I then directed all to be silent while the ceremony was performing, under pain of their being struck with death. Having had this explained by Punnapa to the chiefs, and by them again to the people, I was well satisfied the dead man heard and understood the whole, by slight involuntary twitchings, I saw in his muscles.

"When all was quiet, I began by walking slowly round the extended body four times, laying one of the four articles each time at his feet, uttering, with a solemn loud voice, the following five Latin words that happened to occur, "Omne bene, non sine cæ ā." I believe that the fall of a pin might have been heard while I was performing this mummery.

"Having managed with tolerable seriousness, I took up all the articles, stood across the man, and, raising both my arms as high as I could reach, called aloud, "silence!" Then, bending over the body, I held the match in my right hand, the wax taper in my left; and, drawing the cork from the bottle of phosphorus, just above his navel, at the moment I applied the match to light it, as it were, from his body, I began to sing, "God save great George, our King," But the instant the flame was seen, there was such a yell of "Ah, paw, swaamee, Ah, yaw, swaamee," as completely drowned all my fine singing. Lighting my taper, I proceeded with my work, by melting the sealing wax and dropping it hot, close above his navel; but the fellow had not patience to stay for more than two or three good drops of my miraculous wax, before he jumped up and ran away, bellowing and clawing his belly, without stopping to thank me for his cure or answering the calls of others, until he got within the village.

"That the fellow had heard and understood what passed, with my declaration that I possessed a power to draw forth a flame from his body, was evident; and I depended on the sudden attack of the burning wax, on so tender a part, heightened by his own imagination, to overthrow all the obstinacy of trick and produce some such effect as would satisfy he was not dead; what his particular aim was, it might be difficult to make out."

CALCUTTA.—NOVEMBER 7th, 1814

A letter dated the 24th ultimo, from the detachment on duty on the Napaul frontier, mentions, that "the 8th Native Infantry left Benares on the 10th ultimo. Six companies of this corps are to relieve the 15th and to take the station duties at Dinapore; and the four remaining companies will march, together with the 15th, for this place.—An army is also to be assembled at Goruckpore under Major-General Wood, to consist of His Majesty's 17th Foot, the 1st Battalion, 17th Native Infantry, 1st Battalion 12th, 1st Battalion 14th, and a Squadron of the 8th Native Cavalry."

A detachment of the 2d Battalion of the 12th Native Infantry was under orders to march from Benares on the 1st current. Its supposed destination was Azimhur, the rendezvous of General Wood's force.

The detachment from Meerut under the command, of Major-Gen. Gillespie, reached Sanaxunpore on the 18th ultimo, and expected to march from thence on the 21st, on their route towards the northern hills.

The relieving corps from Cuttack, would commence its march towards Ahahabad, on the 10th current.

His Excellency, the Right Hon. the Governor General arrived at Lucknow on the 25th ultimo. His Lordship was received without the city by the Nawaub Vizier, and afterwards breakfasted with His Highness. The splendour of the preparations for the reception of the Governor General at Lucknow, out did all former example.

CURRENT VALUE OF GOVERNMENT SECURITLES.

BUY.]—SATURDAY, OCT. 29, 1814.—[SELL.

Rs. Ans. Dis.		Rs. Ans. Dis.
13 3	Six per Cent. Loan / Obligation.	14 4

English Extracts.

AMERICA.

NEW-YORK, MAY 14.

Captain Jennison writes to his owners thus, under date of Providence, May 10 :—"I arrived here yesterday from New Providence, with 80 prisoners, passengers; and am sorry to inform you that our sloop of war Frolic, has been captured by the British frigate Orpheus, and sent into New Providence, where she arrived two days before I sailed. She threw overboard 11 of her guns, and cut away her anchors, but all to no purpose."

According to the accounts from the interior, the Creek Indians had submitted and made peace with the United States; their warriors to the number of 3000,, having been first defeated by General Jackson, with the loss of 1200 men; the Americans losing but 30.

The American establishment at Oswego, on Lake Ontario, had been taken by the British; a great quantity of stores fell into the hands of the captors, including the great cable for the large ship built by the Americans at Sackett's Harbour. The American ship Growler, Lieutenant Woolsey, was at Oswego, but was sunk on the approach of the British. An attack, made by the British upon the fort of Oswego, is stated to have failed, with the loss near of 200 men. The American loss is stated at no more than 14 killed and 20 wounded. Chauncey is stated to have sailed, from Sackett's Harbour hearing that Sir James Yeo was out. The following is the American estimate of the forces on the Lakes:

LAKE ONTARIO.

All our vessels, ready at Sackett's Harbour, are provisioned, and upon getting out will compose the following fleet:

General Pike (ship), 24 guns, Commodore Chauncey; Madison (ship), 20 guns, Captain Crane; Jefferson (brig), 20 guns; Jones (brig), 20 guns; Governor Tompkins (schooner), 6 guns, Lieut. Elliot; Oneida (brig), 16 guns, Lieutenant Brown; Sylph (schooner), 14 guns, Captain Woolsey; Lady of the Lake (schooner), 3 guns, Mr. Mix.

The British squadron which appeared off Oswego on the 5th instant, consisted of three ship two brings, two schooners, and eleven gun-boats, full of men, commanded by Commodor Yeo.

LAKE ERIE.

Lake Erie is made a separate naval command, and Captain St. Clair made Commodore of it. Captain Elliott, who lately commanded on that Lake, is ordered at his own desire, to join Commodore Chauncey.

LAKE CHAMPLAIN.

Our flotilla, which is on Otter Creek, is preparing to poceed out. It consists of a new ship to carry thirty 32-pounders; one sloop to carry twelve 18 pounders; two sloops to carry eight, and ten 12 and 18-pounders; two to carry six 18-pounders, and ten row-gallies to carry two heavy guns each.—Total 16 vessels.

Commore M'Donough, an active and intelligent officer, commands the above vessels.

The British fleet, which is to be commanded by Commodore Barclay, consists of a new brig carrying eighteen 12-pounders; four sloops carrying from six to ten guns; and twelve row-gallies.

ALARM AT BURLINGTON.

BOSTON, MAY 17.—We have seen a letter from Burlington, dated May 12, in which it is stated, that the British squadron on Lake Champlain, consisting of 12 sail—one brig, four sloops, and seven gallies, had appeared off that place, and that the inhabitants were in great alarm. Many of the inhabitants were removing their effects. *(Star, June 21st)*

On Wednesday morning his Majesty's ship *Virago*, Lieut. Pittman, arrived from seeing convoy to Bourdeaux. She left the Garonne the 23d ult. at which time there were lying at Verdun, below Bourdeaux, about thirty men of war, among whom were the *Egmont*, *Zealous*, *York*, *Wanderer*, *Royal Oak*, *Clarence*, &c. of the line. Admiral Lord Keith's flag was flying on board the *Egmont*. His Lordship remained at Bourdeaux. Admiral Penrose had his flag on board the *Porcupine*, at Poliac, 30 miles up the river; also his Majesty's ship *Podargus*, and near 400 transports. Several of the line of Battle ships had taken out their lower deck guns, and were taking on board troops for Canada, to sail the 1st of June. The smaller transports were to convey the skeleton regiments to England, as well as the Marquis of Buckingham's Provisional Battalion of Militia, which were doing the duty of Bourdeaux. The rest of the English Army were encamped on the other side of the river. Several vessels were returning home with cargoes unsold, owing to the market being glutted, and some unexpected difficulties in discharging.

PARLIAMENTARY INTELLIGENCE.

HOUSE OF LORDS,—WEDNESDAY, JUNE 8

Lord DONOUGHMORE, in rising to move that the petition from the Catholics of Ireland should be received on their Lordship's table, was anxious to say that he had no intention of pursuing the subject to any farther stage during the present session. He wished at the same time to state why he did not so press it. The first conception was, that all things conspired to the discussion at the present moment. He could not forget the triumphs of last session, the great talent that was displayed, the great accession of credit thereby accruing. He could not forget the declaration of 249 members of the British Parliament in the last session that the Catholics should be relieved not from some but from all their religious disabilities. He could not forget that his Majesty's principal Secretary of State had coincided in its prayer; nor forget his station, nor the power of access which he might use to do away prejudice or mistake in the highest authority. He could not forget the great additional security of England, after seeing her enemy converted into her friend, and the King of France restored to the Throne of his ancestors. He could not forget the restoration of the Chief Pontiff to his throne, nor the first act of his returning liberty. That rescript had come too among the circumstances which had urged the idea upon him of calling the Catholic cause into instant discussion. It had destroyed the phantom which had given much alarm—it had taken away the horrors of papal supremacy—it had suffered England to be just, and the Catholic to be free, without fear in the one or faithlessness in the other. Other circumstances, however had more recently occurred, which completely changed his opinion. The chief of them was this. The conduct of the Catholic board had been of late marked by a spirit which was deeply to be regretted. It was the only public organ of the Catholic mind, and it must be confessed that its proceeding were of an order rather to retard than to advance the general interest. By the mode of receiving the Pope's Rescript, the Catholics were gone to war with the head of their church. Yet if he were asked, was this always to be a reason? were the Catholics to be for ever excluded on this ground? he would readily answer no. At the present moment, measures were adopting to restore order; the Catholic prelacy had already written a decent and respectful letrer to their ecclesiastical head soliciting the power to confer with him on the rescript. The result of that conference it was, however, almost hopeless to expect during the present session, and this was one of the reasons for postponing the subject. It were to be wished that ministers had been equally, prudent. But they had already disposed of the question: not, indeed, in a house of parliament, but at a public feast,—not by a vote of that house, but by a dashing toast-short enough but wonderfully expressive. The toast was protestant Ascendancy" given by a Minister at the Pitt dinner; one at those exhibitions to which the Ministry throng annually in a body, to renew their devotion at the altar of their canonised saint. Now what was this toast, or for whom was it meant? Not for England. Here it meant nothing. It was "Vox & præterea nihil." No, but when it turned upon Ireland, it had a meaning most pregnant and powerful. He had mentioned the Rescript; he would now only say a single word on it in expression of his own idea. He could not conceive it to be an order to receive any ecclesiastical or civil change, "Æquo gratoque animo." He believed it merely to say, if you refused the provisions of the bill merely from their injury to my supremacy be under no apprehension, my supremacy is not injured. Could is be the desire of noble lords to interfere with the liberty of the Catholic? In what he said, he of course spoke of the Irish Catholic; for he was sorry to say, that they did not follow the steps of the English Catholics. But much wisdom was required in the conduct of even concession. The temper of the Catholic mind was not at this moment such as to promise a satisfactory arrangement. The spirit of conciliation was not yet abroad, and without it nothing could be done. He had heard that strong measures were just adopted by the Irish Government. He had but lately seen the paper which gave the proclamation, He presumed the lord lieutenant did take such a step without the advice of law authorities. He should, however, now give no opinion on the measure. Lord Donoughmore then gave in the general petition from the Catholics of Ireland, which was read and laid on the table: as also were others from Cork, Kildare, and some other counties.

Some conversation took place, but of no particular interest; after which the house adjourned.

HOUSE OF COMMONS.—JUNE 20TH.

THE PRINCESS CHARLOTTE OF WALES.

Sir M. W. RIDLEY rose, and said that, seeing a Right Honourable Gentleman in his place, he was anxious to ask him a question relative to a circumstance of the utmost importance to the interests of this country. He alluded to the intended marriage of her Royal Highness the Princess Charlotte of Wales with the Hereditary Prince of Orange, a record of which intended marriage was already on the Journals of that House. Whenever that question should be brought before Parliament it would, from its extreme importance, necessarily occupy their attention very largely; and he was therefore the more anxious to know, at this advanced period of the Session, whether it was the intention of Ministers to make any speedy communication to the House upon the subject?—*(Hear, hear, hear.)*

The CHANCELLOR of the EXCHEQUER said he could give no other answer to the question of the Hon. Baronet than to say, that the Ministers of his Royal Highness had received no authority to make any communication to Parliament.

Mr. WHITBREAD rose, and said it was impossible the anwer they had just heard from the Right Honourable Gentleman could satisfy either that House or the country at large.—*(Hear, hear, hear.)* It had been solemnly announced by the Sovereign Prince of the United Netherlands to his own people, that an alliance was about to take place between his son and her Royal Highness Princess Charlotte of Wales; and it had been proclaimed by her Royal Highness the Princess of Wales, in her communication to that House now entered upon their Journals, that the illustrious heir of the House of Orange had announced himself to her as her future son-in-law.—*(Hear.)* Questions upon this most important subject had been asked from time to time; but they had never been answered—they were uniformly evaded by Ministers. But he thought the time was now come when that House should no longer suffer itself to be treated with that disrespect *(Hear, hear.)*

Mr. BATHURST rose to order. He did not think it exactly right, when Ministers had declared they had no commission to make any communication to the House, that a discussion should be prematurely forced on. Such a practice was both inconvenient and irregular.

Mr. WHITBREAD said, that he would put the matter in a shape which would render it regular, by concluding with a motion. He repeated, that the House of Commons had been treated disrespectfully. If Ministers, in so important a case, and after such a lapse of time, had no authority to communicate to the House the state of the proceeding, it became the House to interfere, and to address his Royal Highness the Prince Regent to give authority for such a communication. The Right Honourable Gentleman opposite had not denied that the assertion in her Royal Highness the Princess of Wales's letter, of the intended marriage of her Royal daughter with the Hereditary Prince of Orange, was true. It had, however, been publicly reported, and was as publicly believed, that the intended marriage, which, with the concurrence of his Royal Highness the Prince Regent, had been so long proceeding, was suddenly at an end. The grounds had even been stated on which it had terminated; and those grounds were so intimately connected with the question which was to be brought forward by an Honourable Gentleman to-morrow, that it was of material importance to the House to know the facts; and to be informed, if the intention was put aside, on what grounds that had occurred. It had been generally stated, and it had been generally believed, that circumstances closely connected with the object of the Hon. Gentleman's motion, were the cause of that which had taken place. It had been stated to-day, in the very streets, that her Royal Highness the Princess Charlotte of Wales had declined any further proceeding in the intended marriage, on account of the situation of her Royal Mother.—*(Loud cries of Hear, hear.)* If that was the case, it undoubtedly must endear her Royal Highness to every generous and feeling heart.—It would prove, that the subject on which the House were not to touch, as too delicate for their investigation, had risen to such great political importance that it might, very possibly, operate to prevent this most beneficial and desirable union. In order to ascertain the fact, the Honourable Baronet, his Hon. Friend, had proposed a question to the Right Hon. Gentleman, which had been very unsatisfactorily evaded. He was sure the Right Hon. Gentleman and his colleagues could not be disposed to push the discussion of a subject so interesting and important to the close of the Session; and nothing was more certain, than after the business of next week, no great attendance could be expected in Parliament. In the hope, therefore, of obtaining satisfactory information, or at least with the determination, that his wish to do so should be recorded in the Journals, he would move, "that an humble Address be presented to his Royal Highness the Prince Regent, praying that he would be graciously pleased to acquaint the House, if there be a treaty of marriage on foot between her Royal Highness the Princess Charlotte of Wales, and the Hereditary Prince of Orange."

Sir M. W. RIDLEY seconded the motion. He had flattered himself, that the anwer to the question which he had put to the Right Hon. Gentleman, would have proved satisfactory. As that, unfortunately, had not been the case, he was gratified to find the subject taken up by one who was so much more able to do justice to it than himself. His Honourable Friend had stated many reasons for expecting that the House would be put in possession of some information on the subject; another, which he (Sir M. W. Ridley had heard, and which still more convinced him of the expediency of bringing the subject under the consideration of Parliament was, the report, that in the event of the marriage taking place, her Royal Highness might be induced to quit the country. This supposition rendered him more than ordinarily anxious that the real state and nature of the whole proceeding should be laid before the House.

Mr. STEPHEN said, that the Hon. Gentleman (Mr. Whitbread) had redeemed himself from the charge of disorder, by reducing his observations to a formal motion. If every thing that was within the rules of order, was also within the rules of propriety—within the rules of delicacy—within the rules of public decency—then the Honourable Gentleman's conduct might have been not only orderly, but it might have been delicate, it might have been decent, and, for aught he knew, it might have been discreet. But if in defending himself from the charge of disorder, the Honourable Gentleman had exposed himself to other imputations—if it should be the opinion of a great majority of the House that he had not exculpated himself from all impropriety, by the mere reduction of his observations into a formal motion, then he (Mr. S.) must regard that motion as the most indiscreet, as the most indelicate, as the most indecent—*(order! order!)*

Mr. WHITBREAD spoke to order. There were certain words which he took to be Parliamentarily disorderly. He assured the House and the Hon. and Learned Gentleman, that if the words which he had used were such as it was orderly to use in debate, they would not offend him. "Improper," he conceived to be a Parliamentary term, but the use of the word "indecent" was, in his opinion a transgression of the ordinary language of that House. It was a word which, under any circumstances, he would not have applied to the Honourable and Learned Gentleman, and he hoped the House would not allow any Hon. Gentleman to apply it to him (Mr. W.)

Mr. STEPHEN expressed his surprise at the interruption which he had experienced, because he was sure it must be in the memory of every one who heard him, that "indecency" was a charge as often adduced by the other side of the House, against a motion made by their political opponents, as any other. The Honourable Gentleman had said, that he would not impute indecency to him (Mr. S.) and that he trusted, in return, not himself to be so charged. But the fact was, that he (Mr. S.) had not applied the word "indecency" to the Honourable Gentleman, but only to his proposition. He certainly was not aware that it was unparliamentary to state that any proposition was improper, was indiscreet, and was indecent; and unless he heard otherwise from the Chair, whose instruction he requested on the subject, he should continue to use such terms, as justly applicable to the Honourable Gentleman's motion.

The SPEAKER observed, that if he had understood the phrase used by the Honourable and Learned Gentleman to be applied personally, he should have thought it highly disorderly: but as simply discriptive of any proposition that might be submitted to the House, it did not appear to him to offend against the laws of Parliamentary Debate.

Mr. WHITBREAD, on the understanding that the word was not intended to be personal, expressed himself quite satisfied with the Speaker's decision.

Mr. STEPHEN repeated, that his observations

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were not intended to apply to the Honourable Gentleman, but to his proposition: which he would again say, was most indiscreet, most indelicate, and most indecent. And this he would assert, not only with regard to the proposition itself, but with regard to some of the circumstances stated by the Honourable Gentleman in support of it. What the fact was the House knew not. The Honourable Gentleman assumed it; but was Parliament, upon the strength of that assumption, not only to break in upon the sanctity and delicacy of conjugal relations, but also upon all those of a parental nature? As well as being most indelicate, the proposition made by the Honourable Gentleman was most wanton; for he himself stated that the intended engagement, which was the object of it, had been relinquished. Would it be to treat rank and sex with respect to drag into public view all the delicate circumstances of a proceeding, which, according to the Honourable Gentleman's own declaration, was not likely to be completed? What would the Honourable Gentleman think of such a proposition if it regarded his sister or his daughter? Was it compatible with the attention due to the delicacy of the female character, to expose all the circumstances of an abortive negociation, such as that which the Honourable Gentleman had described? And this, after it had been distinctly stated by the Chancellor of the Exchequer, that his Majesty's Ministers were authorised not to make any communication to Parliament on the subject (*hear, hear*.)—He understood the cause of the cheer from the Honourable Gentlemen opposite. He had inadvertently misplaced a word—he had said, that his Majesty's Ministers were authorised not to make any communication, instead of having said, that they were not authorised to make any communication. He was not afraid of any such wretched hostility, however clamorous.—It would only recoil on those from whom it proceeded. If ever there was a motion which required a regular notice; if ever there was a case in which the House ought to have time for consideration; if ever there was a subject on which Ministers should have an opportunity afforded them for digesting their anwer, it was the present. It was under the impression of this conviction that although he saw his Right Hon. Friend, (the Chancellor of the Exchequer) preparing to rise, he had ventured to claim, the attention of the House. It was most unfair to take his Majesty's Ministers in this manner by surprise and suddenly to place them in a situation of difficulty; for no other purpose than to afford the Honourable Gentleman a vehicle for observations which it would have been much better he had never uttered.

Mr. ROBINSON was of opinion, that much unnecessary warmth had been exhibited in this discussion—a dicussion which took place solely because one Honourable Gentleman having asked a question, and having been told that his Majesty Ministers were not authorised to make any communication to Parliament on the subject, another Honourable Gentleman thought proper to make a motion relative to a proceeding, of which the House, as a House of Parliament, had no knowledge whatever. If his Royal Highness the Prince Regent had made any communication to the House on the subject, and if a considerable period had elapsed since that communication, there might be some ground to call on Parliament to acquiesce in the Honourable Gentleman's motion. But as far as he knew, the House, as a House, were not aware even of the existence of such a negociation as that which had been alluded to. No worse reason could possibly be brought forward to induce the House to interfere in such a delicate subject, than the stories, which, according to the Honourable Gentleman, were hawked about the streets with respect to it; except, indeed, it were that singular one described by the Honourable Baronet as particularly operative on his mind—namely, the report, that if the marriage were concluded, her Royal Highness would be induced to leave the country. Surely, when it was asserted that the negociation for the marriage was broken off, this last reason for inquiring into the subject became extremely futile and absurd. There could be no necessity for any precipitation or warmth in the business. If the Honourable Gentleman thought in the present stage of the proceeding (whatever it might be) that it was expedient for Parliament to interfere, at least let him give the House time to cool, and Ministers, who were responsible for the advice which they might give on the subject, opportunity to afford to it all the consideration which its importance demanded.

Sir M. W. RIDLEY explained. What he had stated was, that he understood, in the event of the marriage having taken place, her Royal Highness would have quitted the country—a circumstance of such importance, that the sooner it was brought forward in Parliament the better.

Mr. HORNER agreed entirely with his Honourable Friend (Mr. Whitbread) as to the extreme importance of the subject, both as affecting the illustrious character more immediately concerned, and as involving in it some of the greatest interests of Sate. But while he agreed with his Hon. Friend as to the importance of the question, it was impossible for him to deny the truth of what had been said by others as to the propriety of greater deliberation, and an extended [illegible] of the discussion. He was not presumptuous enough to suppose that his Hon. Friend stood in need of his advice to shape his Parliamentary conduct; but he earnestly recommended to him to postpone his motion until the House should be better prepared, and in better temper to discuss it; letting that which had passed stand for a notice, not doubting, that whenever it might be brought forward, he (Mr. Horner), viewing the subject in the same light as that in which it was seen by his Honourable Friend, should concur most cordially in his proposition.

Mr. WHITBREAD declared, that there was no one to whose advice he would sooner listen than his Honourable and Learned Friend who had just spoken, and no one to whose advice he was less disposed to attend than the Honourable and Learned Gentleman opposite. As to the qualities of moderation, propriety, and discretion, he would go to the Honourable Gentleman opposite (Mr. Robinson) for them—he would go for them to his Honourable and Learned Friend behind him (Mr. Horner); but in his search, he would avoid and run out of the way of the Honourable and Learned Gentleman opposite (Mr. Stephen). He would abstain from noticing a word of what had fallen from that Honourable and Learned Gentleman. He (Mr. Whitbread) said he wished to forget it; but he could assure him that he did not care a straw about it. With respect to the suddenness of his motion, it should be recollected that the occasions was at sudden. His Honourable Friend, without the slightest concert with him, had put a question to the right Hon. Gentleman opposite, on which that Right Hon. Gentleman had thought proper to remain mute. Upon this he Mr. Whitbread) and availed himself of one of the most useful and important privileges of a Member of that House—that of raising an immediate question—in order to enable him to make the observations which appeared to him to be necessary on the subject.—Having done this, he was [illegible] already to wave any further proceeding, never having seriously meant to take the question out of the Honourable Friend's hands. With the [illegible] of the House therefore, he would withdraw his motion.

The motion was accordingly withdrawn.

PRINCESS OF WALES.

In answer to a question from Mr. [illegible], Mr. METHUEN declared his determination to persevere in bringing forward, to-morrow, the [illegible] relative to her Royal Highness the Princess of Wales.

LAW REPORT.

GUILDHALL, WEDNESDAY, JUNE 8.

Special Jury.

THE KING *v.* LORD COCHRANE AND OTHERS, FOR A CONSPIRACY.

(Continued from our last.)

John Marsh, (the first evidence called) who keeps the Packet-boat, near the Ship Inn, Dover, heard a knocking on the 21st of Feb., &, upon going out, found a gentleman in a grey great coat, with a red uniform under it: he had a star, of the same description as the one produced: he was very anxious for a chaise and four, and wanted an express horse to send to the Admiral of the Fleet. This all passed in the passage. The witness asked him whence he came: he answered, he bore the most important dispatches, and had just arrived from France. The witness asked him where he landed: he said, on the beach: he wanted to write: witness followed him into the Ship Inn and saw him write: witness asked him whether he should call the Collector of the Port, whose custom it was to see people on landing; he answered, it was not necessary: two candles were sent for by the witness's desire, and placed on the table where he was writing: the witness had an opportunity of observing his person, and now pointed the defendant De Berenger out in court: persons of the names of Gorey and Edis were there too: witness saw the defendant again when he was in the chaise: he told the two postillions he would give them a Napoleon each: he had a travelling cap on with gold or silver fringe: he did not say how he got on the beach. Upon his cross examination by Mr. PARK, he did not know what sort of a night it was: the *boots* let him in: the defendant was only 20 minutes altogether at the inn: he wished the witness to quit the room, which he did: the witness never saw the defendant before or since. He was positive as to his identity: upon his re-examination he said he discovered him himself in the hall to-day and had no doubt about him.

Mr. Gorey, hatter, at Dover, was at Mr. Marsh's the landlord, on the morning in question, and upon arriving at the inn perceived a gentleman in a great coat, such as that produced in court: upon his return he found him in a parlour with the candles: witness then perceived that he had a red uniform trimmed with gold lace, and a star: he had a cap similar to that produced. It had gold lace: the gentleman was walking up and down the room: witness having heard Marsh say he was a messenger, asked him what the news was? he replied, that being a messenger he was sworn to secrecy, but he brought glorious news, the best that was ever received in this country: he rang the bell for pen, ink, and paper, which were brought, and he proceeded to write; the witness took leave of him before he finished the letter: the candles were sufficiently near to enable witness to observe him; and he now identified the defendant De Berenger in Court; he had no doubt of him.

Upon his cross-examination by Mr. Richardson, he said that he went to order the horses, and was absent some time: he carried the candles to Mr. Marsh; the witness was up at the time; it was between one and two o'clock in the morning: the defendant stopped there after two o'clock; he was there about a quarter of an hour or 20 minutes: this witness had not seen the defendant since.

Upon his re-examination, he said he had three or four minutes to observe the defendant, which he did anxiously on account of the glorious news. Sometimes he had the cap on, and sometimes off: he had no doubt as to the man.

Mr. Elliot Edis, of the Victualling office, was at the Packet boat on the morning of the 21st of February: his attention was called by the arrival of the messengers, whom he first saw at the Ship: he was then walking up and down the room: he had a great coat with regimentals, red and gold: he did not notice any other ornament: he had a cap with a gold band: it was slouched, and appeared to be made of rough beaver, black or brown: it had no rim: he had no conversation with defendant: he saw him sit down to write: he did not say to whom: the witness could not hear what he said: he is deaf: his cap was on the whole time: witness was there: he identified the defendant.

Upon his cross-examination by Mr. Park, he said, he saw defendant 5 or 6 minutes or more, he followed Gorey immediately: although the cap had no rim, the round part of it was pressed down over his forehead.

Upon his re-examination he said, the cap was similar to that produced.

Mr. Wm. St. John was also at the ship at the time, as a traveller; had retired to rest, but was awaked by a knocking at his door, and a person calling out for a post-chaise; he dressed himself and came down stairs to the coffee-room, where he saw a gentleman in a military uniform: his coat was scarlet with a red silk sash, grey pantaloons, a grey military great-coat, a seal-skin cap of fawn colour. There was something like a star on his uniform: he was walking up and down the room: witness asked him if he knew of [illegible] Johnson, the messenger, who was [illegible] he knew nothing at all about [illegible] left to himself, as he was extremely ill. Upon witness leaving the room, he desired he would send him in paper, pen, and ink; witness returned in a short time, and found him writing; he left the room immediately. He saw him again at the lower end of the street, stepping into the carriage; he asked him what the news was? the stranger replied, as good as witness could wish; this was the third time witness ever saw him; the second was by accident at Westminster-hall, in the court of King's Bench, with a great many persons about him.

Upon his cross-examination by Mr Richardson, he said he went to Newgate for the express purpose of looking at him, and followed him to Westminster for that purpose, at the desire of Mr. Oakes, of the Stock-exchange. He heard him plead to the indictment. Witness is accountant to the Irish Charitable Society, and never acted as a stock-broker. He saw him about a minute each time; he had his cap on: it was not slouched: it had no leaf: he was in Dover for the purpose of getting information for a newspaper. If he had picked up such important news as this, he should not have communicated it to the Stock Exchange: he went to Dover at the desire of a proprietor of the *Traveller*: he went on the day before to communicate with Mr. Quin. Another object of his going was to make as much as he could of a little omnium he had. The witness knew Hyams, the post-boy, whom he saw sent with an express to the Port Admiral, which Mr. Wright, the landlord of the Ship, gave him from the defendant.

Hayms was called up on the night in question, and sent off with the express for Admiral Foley, to whose servant he delivered it at Deal. He afterwards saw the Admiral.

Admiral Foley received the letter set out in the indictment, at three o'clock in the morning, which induced him to get up: he inclosed it in a letter to Mr. Croker, Secretary to the Admiralty, and sent it by the boy. He did not work the telegraph, because the weather was too thick.

Mr. Henry Wright being extremely ill, was unable to attend: Mr. Park and Mr. Serjeant Best contended, that the letter was not identified as that written by the defendant, and by him delivered to Mr. Wright.

Mr. Lavie, attorney for the prosecution, then proved the letter to be of the defendant's handwriting: his usual hand is smaller. Upon his cross-examination by Mr. Park, he believed two other papers marked A. and B. to be of the defendant's hand writing.

The letter was then read.

——Dennis, post boy of the Ship, drove a chaise and four from thence, on the morning in question, to the Fountain, in Canterbury, ; there was a man in it, who gave him and his fellow-driver a Napoleon a-piece, which they sold for a 1*l*. note. Edward Broad and Thomes Dale drove him from Canterbury.

Edward Broad remembered the circumstance: they drove to the Rose, Sittingbourne: the gentleman did not get out there: the chaise went on with four horses. Michael Finnes and James Wakefield drove on. The witness received a Napoleon for driving.

Michael Finnes remembered the circumstance: it was then between four and five o'clock in the morning: he drove the gentleman to Mr. Wright's house, the Crown, at Rochester. The gentleman got out and gave him two Napoleons, one for his fellow-driver. He had a pepper and salt coat on, and a red coat under that; he had his cap on.

William Wright, landlord of the Crown, had a particular reason for remembering the day. The gentleman had a pepper and salt military great coat of the colour of that produced in Court. He had a scarlet coat with gold lace under that, a cap on his head nearly the colour of the great coat. On the coat was a star, and something suspended either from his neck, or his button-hole, which the person himself told him was an honour. It was like one produced in Court. When the chaise drove into the yard, he found the gentleman looking out of the front window of the chaise; he asked if he could have any thing to eat, for he had nothing since he left Calais. Witness offered him any thing he pleased: and said he supposed he brought good news; the gentlemen replied he did; the business was all done, the thing was settled; witness asked the nature of the business; the gentleman replied, he's dead. Witness, "Whom do you mean, Sir?" Answer, "Napoleon." Witness replied, "Is it really true, Sir?" The gentleman answered, "If you doubt my word you'd better not ask any more questions." The witness apologised, and asked the nature of his dispatches. He said there had been a very general battle, between the French and the whole of the Allied Armies, in which the French were defeated, and Buonaparté had left the city; but being overtaken at the village of Roncon, six leagues from Paris, he was seized by the Cossacks, who had literally torn him in pieces. He said he was an Aid-de-Camp, he said he was very cold; witness offered him brandy, but he chose wine; he then asked what he had to pay; witness refused to take any thing, in consideration of the news he brought; but he threw down a Napoleon, and desired the servants might have something: he went a way in another chaise and four, driven by Thomas—and James Overy: he identified the defendant De Berenger, to whom he could swear.

Upon his cross-examination by Mr. Richardson, he had never seen the defendant before or since: the witness added, that he had a large white cockade, very dirty, as if it had been a long time worn: he had no doubt as to his identity.

James Overy remembered taking up a gentleman on a Monday, and driving him to Dartford; he was dressed in a great coat and cap, with white ribbon hanging; he had a star and medal; he gave the boys a Napoleon a piece, and paid the chaise with a 5*l*. note.

William Tozer, landlord of the Crown and Anchor, Dartford, remembered the last witness bringing the chaise to another house in the town he spoke to the Gentleman who said Buonaparté was dead, &c.; he saw him give the boys two gold pieces, with something in French upon them. He could not now recognise the defendant De Berenger as the gentleman.

Thomas Shelley drove the gentleman from Dartford; he had the wheel horses; the waiter of the Ram inn, Dartford, asked the gentleman if he brought any good news? He answered, "Yes, Buonaparte's dead; the Cossacks fought for a share of him, and cut him in a thousand pieces. The Allies are in Paris." Upon the road, when they got to Bexley Heath, the gentleman asked, if the telegraph could work? the witness replied "No;" it was very thick. The gentleman then said, "Don't take any notice of the news as you drive along; but you may tell as you return." He than said, he had sent to the Port-Admiral at Deal to set the Telegraph at work: he had walked two miles since he came ashore near Dover. When they came to shooters-hill, he gave the boys some wine and brown cakes; he asked, which was the first coachstand: witness said, the Bricklayer's Arms, and asked, why he wished to know? He then asked whether there was not another in Lambeth road? witness replied, "Yes," and he then said, "Drive me there;" witness drove him to the 3 Stags, but there was no coach there; and he then drove to Marsh-gate, by the side of a hackney-coach, into which the gentleman stepped, without getting on the ground: he then gave the witness two Napoleons, which he had now. The gentleman was dressed in a dark great coat, and fur cap, laced with either gold or silver: witness saw a red coat underneath, and some sort of star, which he should know if he were to see. He identified the defendant De Berenger, of whom he had no doubt. He had seen him once since in Dean-street, Westminster, and knew him again.

Upon being cross re-examined by Mr. Richardson, he said, he had heard of the reward for apprehending the defendant: he belonged to a hat-club at Dartford: he had described the gentleman, as having a large red nose, and so it was red that morning for it was very cold: he identified the waterman to be.

William Bartholemew, who remembered the last witness coming with a chaise and four on Monday, 21st of February, about 9 o'clock; he said the gentleman got out of the chaise into the coach, of which the witness opened that door: the gentleman had a brown coat on, and a military great coat; he ordered the coach to drive to Grosvenor-square or Grosvenor-street. He pointed out the defendant, De Berenger, as the gentleman, but he only saw him half a moment.

William Barwick, clerk to Messrs.—banker, Pall-mall, remembered passing near the Marsh-gate on the morning in question and seeing a chaise and four stop, and a man get out of it into a hackneycoach, which he followed to the Haymarket, because he was told the person brought some news. He saw enough of the person to know him again, but could not now swear to him.

William Crane, driver of the hackney-coach No. 890, remembered taking up a Gentleman on the morning in question out of a chaise and four at the Marsh-gate and drove him to Grosvenorsquare, when he put down the glass, ordered to be driven to No. 13. Dean street. He went in there & gave the witness 1*s*.; the witness hoped for another shilling; the gentleman took in his small leather portmanteau and swords, and came out and gave him another shilling. Witness had since seen the defendant at Dean-street; and now pointed him out. He saw his red coat underneath his brown great coat; he had a brown cap with gold lace.

George Odell, fisherman, remembered fishing up part of a bundle at Old Swan Stairs, it was tied up with a piece of linen, covered with chair bottom: the coat was embroidered with a star, & coat of arms, three birds. It was sunk with lead; he gave it to Mr. Wade Secretary of the Stock Exchange Committee; he picked it up on Wednesday the 19th of March, and carried it to him on Saturday following.

Mr. Francis Payne was present when Mr. Wade received the parcel from Odell, and identified its contents.

Mr. Wade proved the receipt and delivery of it to Mr. Lavie; the star was then in 2 pieces: it had been since sewn together.

Mr. Solomons military accoutrement-maker, Charing cross, and New-street, Covent garden, remembered Saturday the 19th of February a military great coat being purchased, with a fur cap, and pale gold band. The cap produced resembled that he sold, as nearly as he could possible tell. The purchaser came to the shop at Charing-cross and took away his purchases there, and at New-street. He also bought a uniform coat, and a badge and star, the same as that produced. He had the fellow star to it, and never saw another. The badge came from New-street. He believed the fragments produced to be of the dresses he sold. The purchaser said, he wanted them for a person who was to perform the character of an officer, and that they were to be sent into the country that evening. He took them away in a coach; he had a small portmanteau with him, he did not object to the prices: witness had since seen the person in Parliament-street coffee-house: the person whom he served had whiskers: & he could not now say the defendant De Berenger was the same person.

Mrs. Davison resided near the Asylum February last; the house is within the rules of the King's Bench; the defendant DeBerenger lodged with her; he finally quitted the house on Sunday, the 27th of February; on the Sunday before the saw him in the morning; she could not say whether he slept at home that night; she usually heard him in the morning, but not on Monday morning the 21st: he used to ring his bell for the servant more that once: he occupied the whole of the upper part of the house; he used occasionally to play the violin or the trumpet, and walk about; he then

wore whiskers; she generally heard his bell ring; she did not see him come home on that Monday; but at a quarter or half-past five she saw him, and heard him in the afternoon; the day before he quitted, she remembered a gentlemen calling with a letter, whom she had since seen again in the Temple: Mr. Lavie was present; she could not say it was positively the same, but she thought it was: the defendant De. Berenger had two servants, Smith and his wife: they always attended him when he dined at home. On Sunday the 20th he did not dine at home; his usual hour was four, and his servants went out to dinner at two or half-past that day. There was a private place in the area where the key was always put; it was that night in the care of Smith.

Upon her cross-examination by Mr. PARK she said she did not attend to the door, and never went into his room.

Upon her re-examination she said her husband remarked that morning that the defendant had gone ou in a new great coat.

Mr. Lavie said, that the last witness when in thet Crown Office, pointed out the defendant Cochrane Johnstone, who was striking the jury as the person who brought the letter to the defendant De Berenger. She had a conversation with Smith his servant.

Mr. Launcelot Davison, husband of the former witness, remembered seeing the defendant go out on Sunday the 20th, he had come in 10 minutes before he went out with a new great coat, as the witness observed to his wife: he did not hear him the next morning, but witness went out at 9, o'clock: he usually heard him before that time: his servants went out at 2 o'clock, and were not at home at 4. He had a conversation with Smith about that night.

Upon his cross-examination by Mr. RICHARDSON, he said he had nothing to do with the defendants movements, but he generally knew when he came home by very loud rap at the door, and he had very few visitors. Witness is clerk to a broker.

Mr. Finn, in consequence of a note left at his house went to the Carolina Coffee-house on the morning of the 15th of February; he there was met by the defendant M'Crae, whom he had known before; he told him he had an opportunity of making his fortune; it was a scheme he had in contemplation employed by men of consequence and he thought no man be more competent to it than she witness. Upon inv asked if there was any thing of moral turpitude in it, he said there was none; it was practised daily by men of consequence,—it was nothing more than biting the biters, by a hoax on the Stock-exchange; witness asked him in what way he could do that; he replied, by going to Portsmouth, or Dover as he should receive instructions, and *that* that evening; but it was necessary to have two dresses: witness here stopped him, and asked whether he really meant him to be thus employed; to which he replied "certainly," and he should be in the first place remunerated and afterwards have a fortune; witness replied he would as soon be concerned in a highway robbery; he thought he had known him better, witness raising his voice, he endeavoured to huth him, saying they would be overheard and then took him out of the coffee-house. The witness recollecting that this could yet only be proved on his own testimony told him he would introduce him to a person who might do it for him, and took him to the Jamaica coffee-house: witness was going to introduce him, but he refused: witness gave M'Crae the French terms of *Vive Louis* XVIII.: he proved M'Crae's letter of invitation to him, which was read.

Upon his cross-examination by Mr. ALLEN, he said, he was an accountant: he immediately made the offer public: he gave him the French that it might be heard by other persons, and he might have confirmatory evidence.

Sarah Alexander, of No. 61 Fetter-lane, knows Mr. M'Crae, who lodged on the same floor with her; he is a married man, and his wife was with him. On Saturday night, the 19th of February, he came into witness's room were his wife was, and gave her a small parcel, which he said was of value, and she should take care of it: on Sunday between 10 and 11 o'clock he went out, and returned before 12, bringing two coats, and two opera hats in a bundle. The coats were officers dark blue, embroidered with worsted, one lined with white silk, the other inferior. One of the hats was better than the other: one had a plate and a gold tassel at each corner: he put them on, and asked whether he looked like an officer: the witness said he did, he then went out again and came home before one o'clock, bringing some white ribbon: he wanted two cockades made and applied to his wife; she asked what they were for: he said to deceive the *flats*: he put the cockades in his pocket, and took the hats and coats in a bundle and said he must be at Billingsgate by 2 o'clock to go to Gravesend. She saw him again the next day at a quarter before 2, she met him in Cursitor-street; gave her 1s., and asked her to get his dinner; he brought home one coat and hat; the best of each. He said he had slept at Northfleet; but he appeared not to have been in bed at all. He brought the cockades back in his packet; the ribbon was taken off, and the paper on which they were formed was thrown into the fire. They took the white lining out of the coat, and carried it to the dyers to be died black. He came to the house before the witness; she commenced in September; coals were very dear, and the witness and M'Crae kept but one fire; he never had any money except 1s. or 1s. 6d. After the expedition he had a 10l. note and 2£.: the day before he finally left his lodgings, he had two 2l. notes; that was the 2d of March: on the Sunday after he brought a new coat and hat; he said he was to have 50l. for what he had done. When he went away altogether, he seemed very much agitated, and wished nobody to know whither he went, Witness desired him not to tell her that she might not know.

Mr. Foxall, landlord of the Rose Inn. Dartford, received a letter, which was produced, from the defendant Sandom; in consequence he sent a chaise to bring a party to Dartford.

The letter was then read, ordering a chaise and four, in the name of Mr. Sandom.

The witness then proceeded to depose, that Mr. Sandom, and two other gentlemen, came in blue clothes, and cocked hats, with white cockades. The witness asked them to breakfast, and Mr. Sandom refused, and said they had breakfast at his house; they had been in in an open boat all night, and were much fatigued; witness asked who they were: Mr. S. said he did not know, but they had news of the utmost consequence, and desired good horses.

Upon his cross-examination by Mr. Serjeant PELL he said he received the note at 7 o'clock in the morn, ing; he knew Mr. Sandom only by his having horse-for nine months before to take him to Northfleets where he lived.

Foxall Baldwin, post-boy from the Rose, rode on the morning in question, and recollected a chaise coming from Northfleet with Mr. Sandom & two other gentlemen; he drove the leaders to town, they gave orders to walk some little distance, and not to distress the horses up the hill; they promised 12s. to each of the drivers; his fellow-driver ordered him to go over London-bridge, down Lombard street, along Cheapside, over Blackfriar-bridge, down the new cut and, when in sight of the Marsh-gate to stop. Mr. S. was in a brown great coat; the others in blue: when they got in the chaise they had military hats; the horses had laurels; when they arrived in sight of the Marsh-gate they stopped, and the passengers walked away in round hats. It was about 11 o'clock. Mr. Sandom did not pay the chaise then or give them any thing; but asked at what house they stopt, and came to the witness there; he gave the other driver a 1£. note and 4s. but did not pay for the chaise.

Mr. Bailey deposed, that the defendants Messrs. Holloway and Lyte attended the Stock Exchange, and at first denied all knowledge of the transaction: but afterwards, when the bill was found, acknowledged that he (Holloway) had committed the fraud, with a view to obtain money by the rise of the funds; and that he (Lyte) had been employed by Mr. Holloway Mr. Lyte added, that he, Sandom and M'Rae, had ridden in the chaise from Dartford to London. Mess. Wakefield, Lavie, and Chaumette were present at his confession. Holloway said he was not aware of the serious turn it would take; but finding it had done so, he would come forward and confess it, in the hope, that the Stock Exchange would not pursue it to extremities. He was asked, whether he had any connection with Lord Cochrane, or Mr. C. Jonhnstone, or Mr. Butt; he denied he had.

On his cross-examination by Mr. Serjeant PELL, he believed that Holloway stated, that he would communicate all he knew of the business becaus M'Rae had offered for a large sum of monay, to come forward as a witness.

Upon his cross-examination by Mr. PARK, the witness meant to include De Berenger in Mr. Holloway's denial of connection.

Mr. Joseph Fearn had known the defendant, Mr. Butt, several years and was introduced by him to Mr C. Johnstone and Lord Cochrane. In February last, he was employed by th m as a broker. His office then was at No 86, Cornhill: somewhere about that time, Mr. Butt had an office in Sweeting's alley. From 12th to 19th February he saw Mr. B. daily at both their offices: he was frequently with Mr. C. Johnstone and Lord Cochrane. When he did business for Mr C. Johnstone, he sometimes received orders from Mr. Butt, which the former always recognised. He made various purchases and sales for them between those times. On the evening of the 19th, the balance of Lord Cochrane's omnium account was 139,000l. in his favour: of Mr. C. Johnstone's omnium, 120,000l; of his consols 100,000l.; of Mr. Butt's omnium 150,000l of his consols, 168,000l. On the morning of the 21st Feb. the witness sold them all: he had previously removed to No. 5, Shorter's-court, close to the side door of the Stock Exchange, there were three rooms of which witness had one and a small closet; Mr. Butt the other; and the third was occupied by Lord Cochrane and Mr. C. Johnstone: the ground floor was occupied by Mr. Lance, who was employed by them. Mr. C. Johnstone and Lord C. had taken the two rooms for themselves, but witness wishing to have an office there, requested them to take the whole of it. This was in the course of the week preceding: the whole are now in witness's possesion. On the morning of Monday, 21st February, he saw Mr. Butt and Mr. C. J. about 10 o'clock; they were in the office usually as early as himself: he thought nobody else was with them. Consols opened on Monday morning pretty much as they left off on Saturday evening. At nearly 12 o'clock news arrived at the Stock Exchange of a messenger from Dover, and Buonaparté's being killed. Mr. C J. and Mr. Butt were with witness when he heard the new; its effect on the funds was immediate; he began to sell before the rise; the first price he sold at was 29⅜ the next ⅜, ½, and 33⅜; he sold the Consols at 70⅝ 71 17/32 72, and 72½; he came backwards and forwards to report what he had done to Mr. Butt and Mr. C. J. and receive their orders; he heard of a post-chaise coming through the city but could not say whether that occasioned a further rise in the funds: before business left off, the funds fell again it being discovered the news was not true.

Upon his cross-examination by Mr. Serjeant BEST, he said that all three had bought and sold to an enormous amount before the 8th of February, and long antecedent to the month of Feb. hundreds of thousands of omnium. Before the 21st they had all three made large sales. He had been before directed to sell the omnium, when ever he could get one percent, and when he came there at ten o'clock he found he could comply with that direction. He had began to sell before they came: he had before sold 20 or 30,000l. for them; he had heard it was sometimes the custom to sell stock which the vendor had not when it was high but neither of the three did so on the day in question. Mr. Butt had before an office in Sweeting's alley, which he found inconvenient, and those in Shorter's-court were taken for him. Witness thought the situation convenient for himself, and suggested that he should like a room in the same house; in consequence Mr. B. gave up his room to witness and took another in the same house; witness put up his name on the Monday; his name was written on the blind which he removed from his former office; finding that his employers liked the room, he desired Mr. C. J. to take a lease of the house for him: it had often happened of the three persons that when one bought the other sold.

On his re-examination he said, that on that day they all sold.

On being asked by a Juror whether any of the stock which the witness sold for the defendants on that day was not in the possession of the defendants, whether they were not all time bargains, he declined to answer the question, lest he might criminate himself with regard to certain penal actions now pending.

Mr. Hitchins, stock broker, had for some years past known Mr. C. J. but had not done any business for him till this year. From February 8 to 19, he made various purchases for him; at the leaving off on Saturday evening, the balance in his favour was 250,000l; on Monday morning he saw M. C. J. between 10 and 11 o'clock, as he was coming out of the Exchange. He received an order on the Saturday to sell 50,000l. at 1 per cent, profit, which he executed that morning before he saw Mr. C. J. viz at 29. He then ordered witness to sell more, which he did at 28, 29½, 30½, and 30¾ thus disposing of all Mr. C. J. had.

On his cross-examination by Mr. TOPPING, he said, Mr. C. J's. balance on the 15th was 450,000l. on the 16th 200,000l, was sold; on the 17th he bought 50,000l. and sold 115,000l.

Mr. William Smallbones, stock-broker, on the 12th and 14th of February, had purchased for Mr. C. J. two 20,000l. and sold them out on the 21st, at 28¼, 29¼, 29, and 29½, by order, partly received on the Saturday before, and partly on the Monday. He made purchases in omnium for Mr. Butt to the amount of 40,000l. which was left as balance on Saturday the 19th, and sold out on Monday the 21st.

On his cross-examination he said that Mr. C. J's. order was not on his own account; hisorder received on Saturday was to sell at ½ profit; the oppertunity did not occur on Saturday. Mr. Butt's purchases were on the 12th, 14th & 18th Feb., & his order was to sell at ¼, profit; he had known him six months, and had been employed by him before; Mr. C. J. was in Mr. B.'s office when witness first saw him. A man might have made his fortune that day by selling for account, but he had no such order.

Upon his cross-examination by Mr. RICHARDSON, he declined answering similar questions to that rejected by the former witness.

Mr. J. M. Richardson, bookseller and stock broker, is not a member of the Exchange: on the morning of Saturday, Mr. Butt, applied to him to purchase 150,000l. omnium: the witness hesitated as to the extent and purchased 20,000l. that morning he received instructions at the time to sell it again, if he could get ¼ per cent profit; he got ⅞, and sold again without communication; he afterwards purchased 20,000l. and 10,000l. which he sold out on Monday, at ¾ per cent, pr fit, in pursuance of orders received on Saturday.

Upon his cross-examination by Mr. BROUGHAM, he said he had before applied to Mr. Butt to give him some of his business.

He declined to answer a question by Mr. RICHARDSON similar to that refused by the other witness.

Mr. Bailey had exact statements of the purchases and sales from Feb. 8, furnished him by the stock-brokers, from which he made out a statement of balances: Mr. C. J.'s balance of omnium on all accounts was 420,000l. on Feb. 19, his Consols 100,000l. Lord C's omnium balance, 139,000l. Mr. Butt's 200,000l. (24,000l. more than he had). Mr. Butt's consols 178,000 (sold only 128,000l.) uniting the whole the balances together, 759,000l. omnium, and 278,000l. consols. If the omnium had been reduced to 3 per cent, it would have been 1644,430l. Upon that amount the fluctuation of a single one-eighth would be about 2000l. The profit made by the sales of 21st amounts to 10,450l. viz.: 2,470l. to Lord C., 4,931l. 5s. to Mr. C. Johnstone, 3,043l. 15s to Mr. Butt. If no news had arrived on the Monday, no person could have sold to this large amount without depressing the market. The news arrived half an hour after business began; it had a gradual effect on the funds: about the middle of the day there was a decline: stocks afterwards recovered: this was generally attributed to the chaise coming through the city: the second rise was higher than the first.

Upon his cross-examination by Mr. PARK, he said the accounts were for time bargains; but no day was stated on the face of the accounts.

James Whitelocke produced a paper of prices of stock at different times in the day of the 21st February. Omnium left off on the Saturday preceding at 26¼ money price, and opened on Monday morning at 26½. It was, perhaps, one per cent, higher when no money was paid. In the course of the day it rose considerably after the news had arrived.

Mr. Charles Addis stated, that a room had been taken in the house, in Shorter's-court, a few days before the 21st. He understood that Mr. Cochrane Johnstone took it for Mr. Butt. Afterwards he took three rooms in the house, and applied to him by letter to know whether he could purchase.

On cross examination, he said that the three rooms are now in the possession of Mr. Fearns, who transacts his business there as a stock broker. He understood that it was for Mr. Butt that Mr. Johnstone took the first room.

Mr. Pillinet, as broker to Mr. Holloway, had sold for him in the course of that day, 10,000l. omnium, and 14,000l. consols.

James Steeres, broker to the Accountant-General of the Court of Chancery, had invested that day to the amount of near 16,000l. in consols, at the rate of 74⅛, to to which they had risen upon that day.

Mr. Wright, of Panton-square, proved that he had frequent intercourse with Lord Cochrane in the months of February and March. His Lordship had brought him an affidavit, which was afterwards published in the newspapers. At the time that Lord Cochrane gave him the affidavit, he said to him, that he had no idea that Captain Berenger could be concerned in so base a transaction; but if he was concerned in it, he had given the Stock Exchange a good clue in that affidavit.

Lord Cochrane's affidavit was then read.

Mr. Le Marchant was the next witness. He had been acquianted with Captain Berenger for about 18 months. Berenger had often told him that it was his intention to go to America, and settle there. Knowing his embarassments, he asked him how he was to effect this? His answer was that Lord Cochrane had kept a private purse for him being a per centage for money made in the funds, by advice that he gave. This conversation took place between the 10th and 16th of February, and as he thinks, upon the 14th. He often spoke of his intimacy with Lord Cochrane, and Mr. Cochrane Johnstone.

On cross-examination, he admitted the letter to Lord Cochrane, requesting a loan of money; and said, he had no correspondence whatever with Lord Cochrane, except by letter. Being asked by Mr. Best, whether he would have given this evidence, if Lord Cochrane had given him the loan, he answered that he certainly would not in that case have come forward, unless he had been compelled to do so; but if brought forward, he could not answer otherwise. Being asked about his place, and whether he was not suspended by Government, he said positively that he did not conceive himself suspended, but kept merely to give evidence. He said that upon this occasion, it was not he who applied to the stock Exchange; but they applied to him.

The Honourable Alexander Murray was next called. He was himself a prisoner in the King's Bench, and had been acquainted with Berenger for about a year and an half. He had often heard Berenger speaking of his intimacy with Lord Cochrane and Mr. Cochrane Johnstone. He thought it was about the latter-end of January that Berenger had said that he had a plan in his head which would put many thousands into the pockets of Lord Cochrane and Mr. Cochrane Johnstone. He said to him, this must be like your plan of a Ranelagh.—Oh, no, said Mr. Berenger, it is a much better thing.

On his cross examination, he said that Mr. D. Berenger was a man of considerable talents and taste, and had been consulted by Mr. Cochrane Johnstone on a plan of building something, to be called either Vittoria or Ranelagh, in the neighbourhood of Alsop's-buildings. Mr. Berenger had drawn a plan, and a very beautiful plan on this idea. He believed Mr. De Berenger to be a man of honour and integrity, and a perfect gentleman.

J. Farney, a servant of Mr. Basil Cochrane, proved, that Berenger had visited at that house, and that Mr. Cochrane Johnstone had been present at times when he was there.

The Clerk to the Marshal of the King's Bench stated the names of the persons who were securities for Berenger for the rules. There was a Mr. Cochrane, a bookseller, who was no relation to Lord Cochrane, and the gentleman who was now his attorney.

On his cross-examination, he said, that he did not see Berenger on the 21st of February.

The officer who arrested Berenger at Leith, in consequence of a warrant from the Secretary of State, proved the memorandum book and the several parcels of bank-notes that were taken either on his person or in his writing-desk.

On his cross-examination, he admitted that a gentleman from the Stock-Exchange, who was present at the arrest, told Berenger that it was other men on whom they expected to fix guilt, or something to that effect.

A very long course of evidence was then gone into for the purpose of tracing the notes found upon Berenger.

Mr. Smallbones, a broker, proved, that on the 19th of February he had given a check to Lord Cochrane for 470l. 10s. 4d. for stock sold.

Mr. Warmby, clerk of the house on which the check was drawn, proved that in payment of that check he had given a 200l. note, No 6401; a 100l. No. 18468; and another 100l. No 16,601 He gave a 50l. note, 7,375, and the rest in small notes.

A Mr. Lance proved the changing of the two 100l. notes, for which he received 200l. notes which he gave to Mr. Butt.

On his cross-examination, he said, that he knew that Lord Cochrane had borrowed 200l. from Mr. Butt, a short time before. (The tendency of the cross-examination was to show, that if, in this instance, 200£. of Lord Cochrane's money went first into the hands of Mr. Butt, and afterwards to Berenger, it had been only handed over by Lord Cochrane to Butt, in payment of a debt due to him).

John Bilson, a clerk in the Bank, proved that on the 24th of February, the two notes of 100l. each, last mentioned, were changed at the Bank for 200l£. notes

A parcel of 49 notes, found in Berenger's desk another parcel of 67 notes, found in his writing case, besides what were in his pocket, were then examined by two Bank clerks, who were present, and compared them with their books, and they were identified to be notes that were issued among the 2001l. notes which had been given to Mr. Butts clerk in exchange for the two 100l. notes.

Mr. Bromly, a watchmaker at Hull, proved that he had sold Mr. Berenger a watch for 30l. which was paid for in notes of one pound each, upon which he had put his initials.

Upon being shewn two watches that were found in Mr. De Berenger's writing desk, he said, that neither of these had been sold by him.

Mr. Lance also proved the presenting of a check drawn upon Messrs. Prescott and Co. for 90l. He had received in payment and handed over to Mr. Butt, a bank-note of 50l. and another of 40l, which was No. 6268?

Mr. Benjamin Bray proved, that, at Sunderland, he had given change of that 40l. note to Mr. Berenger, who then passed under the name of Major Byrne, He had no other Bank of England note for 40l, in his possession for a considerable time, and, therefore, he could speak positively to it.

(To be continued in the Supplement.)

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SUPPLEMENT TO THE BOMBAY GAZETTE.

Wednesday, November 30th 1814.

(Continued from the last Page.)

After some more evidence as to tracing the notes, the case for the prosecution was closed at about 11 o'clock.

Mr. PARK, on the part of the defendant, Berenger, suggested the propriety of adjourning the trial not on account of the fatigue that the counsel had endured, but for the ends of justice, in order that the case of the defendants might be fairly heard.

Lord ELLENBOROUGH said, that for his part he was ready to go through with the trial, but should not object to its being adjourned till to-morrow. He wished, however, that the defence should be gone into, in order that some witnesses (alluding to Lord Melville and others who had been subpoenaed) who could not without great public inconvenience be obliged to attend another day might be examined. When that was done, if it was considered convenient to adjourn, he had no objection.

Mr. Serjeant BEST, Mr. PARK and Mr. Serjeant PELL, severally addressed the Jury on behalf of the defendants. We shall give the substance of their speeches to-morrow. The Court adjourned at half-past three o'clock this morning till ten. No witnesses were examined.

COURT OF KING'S BENCH, Wednesday, June 8.
[Continuation of the Trial for a Fraud at the Stock-Exchange.]

The evidence for the prosecution having closed, Mr. Serjeant Best stated the case on behalf of the defendants, Lord Cochrane, Mr. Johnstone Cochrane, and Mr. Butt. On the part of Lord Cochrane, he stated, that with respect to the bank-notes, on which so much [illegible] been laid, not one of them had been [illegible] to his noble client and that they had come into the possession of Berenger in a way wholly unconnected with the subject of the present inquiry. With respect to the 200 one-pound notes which had been given for two 100l. notes, the question was on whose account the notes had been received from the Bank: and it appeared from the evidence, that they had been received not on account of Lord Cochrane, but of Mr. Butt. Lord Cochrane was thus completely relieved from that part of the charge, as the notes for which the others had been received in exchange, had been paid not by him, but by Mr. Butt. The large sale of stock on the part of Lord Cochrane, which at a first view might seem to have a suspicious aspect, had been clearly and satisfactorily explained. On the part of the prosecution, it had, indeed, been stated that the noble lord had only speculated in stock a week previous to the 21st of Feb.; but upon cross-examination, it had appeared that in the November preceeding, the noble Lord had bought and sold stock to a large amount. On the propriety of the noble Lords conduct in engaging in such speculations he should give no opinion, nor was in at all necessary to the present enquiry, but consistently with the usages of the Stock Exchange, there was nothing in the conduct of Lord Cochrane that could not be fairly and honourably explained. To bring the charge home to Lord Cochrane, it should have been proved, that a particular direction for sale or stock had been given by the noble Lord; but it appeared from the evidence, that the direction was a general one, and had been given a considerable time prior to the transaction which was the subject of the present enquiry. Lord Cochrane, during the sale of stock on the 21st, had not been present for a single hour, and this was also the case of Mr. C. Johnstone and of Mr. Butt. Another circumstance that completely exculpated Lord Cochrane from the charge of fraud, was, that all the purchases of stock on his part had been real, and not what was termed, in the language of the Stock Exchange, time-purchases. He had sold 130,000l. stock, which he had previously bought; but he did not sell a single shilling of which he had not been a *bonâ fide* purchaser. Had he been privy to the fraud, he would have speculated to a much larger amount, as he must have known, that before night, omnium would fall to its former level. On the part of Lord Cochrane nothing would be found to have been sold that had not previously been bought. His Learned Friend (Mr. Gurney) had argued from the suddenness of the sale; but how could he account for every purchase being real, when by the practice of the Stock-Exchange in making time-purchases, infinitely more might have been realised? To judge correctly of the conduct of an individual, at a given time, the whole of it must be taken into view; and by taking into consideration the whole of Lord Cochrane's conduct on the day in question, his innocence as to any fraud would evidently appear. The mere sale of the stock in this case proved nothing. The other leading circumstance mainly insisted upon by the Counsel for the prosecution, was, that on the day in question Mr. De Berenger had gone to Lord Cochrane's house. But the mere circumstance of Lord Cochrane's having introduced into his affidavit the name of De Berenger, was sufficient to do away any suspicion arising from his having gone to his house. When Lord Cochrane printed his affidavit, he was fully aware of the consequence of introducing into it the name of De Berenger; and as appeared from the evidence of Wright, said at the time, "I have no idea that De Berenger is the man; but if he is, I have given the Stock-Exchange the clue.' No guilty man either would or could possibly have used such language. The inference from this circumstance, so far from unfavourable, was quite the contrary for his noble client.

The learned Counsel here proceeded to comment, at considerable length, on the affidavit of the noble Lord, and in reply to an observation on the part of the Counsel for the prosecution, said, that Lord C. was fully aware, when he published that affidavit, that if it contained false statements, he was equally liable to be tried for perjury, as if he had given false testimony in a court of justice. From the whole of the evidence there was not the slightest proof of a conspiracy, or of wilful perjury. In the affidavit it was stated, that Lord C. had gone to see a man whom he had employed in the construction of an optical machine, and this statement had been corroborated by all the witnesses on the part of the prosecution. The evidence of Murray was clear in favour of the facts contained in the affidavit, and also that of another (Le Marchant), who would hardly be suspected of any undue bias to the side of Lord C. The learned Counsel here commented with much severity on the conduct of Mr. (Le Marchant). From their evidence it had appeared, that De Berenger had expected to go out to America under the protection of the noble Lord. How far Lord C. acted properly in granting the request then made him by De Berenger, was another question; but however that might be, still the statement was true. Previous circumstances had pointed out to Berenger the house of Lord C. as his natural asylum, and bore out the statements of the affidavit. Had he gone to the house of any man becaufe he knew he was implicated in a conspiracy he would (upon that supposition) have gone to the house of Mr. Coehrane Johnston. Upon any other supposition, he had no pretence to repair to Mr. C. Johnston, which he had in the case of Lord C. The whole of the affidavit was confirmed by the whole of the evidence, and would appear from the testimony of the noble persons, some of the same profession with his noble client, whom he meant to call as witnesses. From their evidence it would appear, that Berenger had gone to Lord C. under the pretence mentioned in the affidavit,—an affidavit which nothing could have induced his noble client to make but the knowledge that he had been foully aspersed.

The learned Counsel then proceeded, with much force and eloquence, to argue against the probability of the charge against Lord C. from his situation in life, his hitherto unimpeached character, and the distinguished gallantry he had repeatedly displayed in the service of his country; and concluded by stating to the Jury, that he looked, at their hands, for a complete acquittal of his noble client from those calumnies by which it had been attempted to tarnish his fame.

Mr. Best then entered into an able and elaborate defence of Mr. C. Johnstone, who, he contended, was equally clear from any imputation of fraud as his noble relation. The balance in his hands on the 14th of February had been upwards of 600,000l. stock but, on the 21st, the day of the fraud, had been reduced to 400,000l. and it also appeared that previous to the 21st, he had sold out considerable sums: he also animadverted with much force on the want of delicacy on the part of the prosecutors, in employing a Mr. Harrison, who had been formerly prosecuted by the brother of the defendant, to *subpœna* different members of his family.

The learned Serjeant afterwards proceeded to defend Mr. Butt, who, he contended, was equally free, with the other defendants, from the slightest intention of fraud.

Mr. Park & Mr. Serjeant Pell addressed the Jury on behalf of the other defendants. The Court adjourned at half-past three in the morning, till ten of the same day.

THURSDAY, JUNE 9.

The trial commenced this day at 10 o'clock: the Court was, as before, exceedingly crowded. Lord Lauderdale, Lord Melville, and Lord Yarmouth, were on the bench. The Counsel for the defence were called upon for their evidence.

The letters of Le Marchant to Lord Cochrane were then put in and read (they have been already published) and likewise Lord Cochrane's answer, with Le Marchant's reply, stating that he would not be an evidence against him, that he believed all Berenger's account to be diabolically false, and begging a loan of 12,000l., Le Marchant's statement of his conversations with De Berenger was also read.

Lord Melville was then sworn: he said Lord Cochrane had been appointed to a command under Sir Alexander Cochrane, who had applied to the Admiralty before he sailed on the behalf of De Berenger. Sir A. was desirous that De Berenger should accompany him, to exercise the royal marines in the rifle, or to raise a regiment; that he should be satisfied with De Berenger as an engineer officer. He (Lord M.) said he could not agree to the appointment, but if the Secretary of State or the Commander in Chief should sanction it, he should have no objection. Lord Cochrane was appointed to the Tonnant before Sir Alexander sailed.

Colonel Torrens examined by Mr. BROUGHAM, recollected an application made on the behalf of De Berenger by Sir A. Cochrane to the War-office; he wished to have him as a light infantry officer; this was in January; great difficulties and objections were made to the request of Sir Alexander Cochrane, and the appointment did not take place, though taken into consideration.

Mr. Goulbourn said, that applications had been made to his department by Sir Alexander Cochrane for De Berenger.

Lord ELLENBOROUGH thought this evidence had gone far enough, and the Counsel declined pressing it further: they wished to shew a connection between the parties independent of the present city connection.

Mr. King, of Snow-hill, was employed by Lord Coehrane to make a new sort of lamp, for which his Lordship was procuring a patent. His Lordship called upon him nearly every day: was with him on the 21st of February, between 10 11, and which was his usual time. A note was brought to Lord C. who opened it, and shortly afterwards went away: his Lordship had staid with him about a quarter of an hour.

Examined by Lord ELLENBOROUGH. Said Lord C. made no observation on reading the note.

Mr. Bowling was called; he was a clerk in the Adjutant-General's office; he deposed that Lord C.'s brother, Major Cochrane, was in the south of France at the beginning of the year; he was on the sick list.

Thomas Dewman, servant to Lord Cochrane, had been so for 17 years: recollected carrying the note on the 21st of Feb. to Lord C.: the gentleman who sent the note he never saw before, nor since: told the gentleman, Lord C. was in Cumberland-street, but having gone there, and not finding him, concluded he was at Mr. King's because Lord C. had bid him come after breakfast, with a globe glass, to King's; he then took the note, and saw Lord C. at King's; Lord C. read the note in his presence; the witness then went away. The witness was his only man-servant at that time. Thomas Davis, the butler, had gone to another service; he did not go home from King's, till two o'clock: did not know a person named Holloway.

Examined by Lord ELLENBOROUGH.—Said, that Lord C. when he read the note said he must return; he knew Major Cochrane.

M. Tahourdin said, he had known Mr. De Berenger about five or six years: had known Lord Cochrane since the 13th of June, 1813; had known Mr. C. Johnstone a little before that time; introduced Mr. De Berenger to him, who was to do something as an artist for Mr. C. Johnstone; he drew a plan, and had not quite completed it in September last; De Berenger also prepared a prospectus of the design; only one payment had then been made to De Berenger on account. Mr. C. Johnstone went to Scotland with the plan; since that time knew from a letter that another payment had been made. The witness spoke several times to Mr. C. Johnstone about paying De Berenger; no price was fixed till February last; on the 22d of February Mr. C. Johnstone sent a letter, inclosing one of De Berenger's naming a price; had the letters (produced them).

The letter of Mr. C. Johnstone mentioned, that De Berenger had asked for 200l.; and wished to know how he could purchase an annuity for his natural children and their mother; and told him also to clear his account with Dawson and Wrattislaw.

De Berenger's letter, dated 20th February, stated, that he should not have complained of Colonel Kennedy, unless his conduct had got public; and asked whether 250l. was too much for his plans; wished for the sum in the course of a week, unless Colonel K. returned to town; and expressed a hope that Lord C. would take him with him; that he was afraid his creditors might detain him, though Mr. Tahourdin very handsomely would not, and further detailed his fears and wishes about going to America.

Mr. Tahourdin further examined: said he had some conversation with Mr. Johnstone in consequence of the letters, wrote, a letter to him, the next day, which was read, and stated, that besides the 50l. he had advanced only 7l. or 8l. to De Berenger.—(Lord Ellenborough asked for the cover of the letter, but it was not produced). The rest of the letter related to other matters. He had seen the receipts for the 50l. paid in September, 1813; and also for 200l. paid the 26th of February, 1814, (they were produced). Saw also a note of hand, dated 26th February, for 200l. drawn by De Berenger payable to Mr. Johnstone. Mr. De Berenger had made several plans besides those produced. Was security for De Berenger for the rules some months before he knew Mr. C. Johnstone: was wellacquainted with De Berenger's hand-writting; the letter signed De Bourgh wes certainly not the hand-writing of De Berenger; did not believe it to be a disguised hand of De Berenger; had always found him to be a man of strict honour and integritty; he was embarrassed, owed the witness about 4000l.

Some papers were produced from De Berenger's writing desk: the witness examined by Mr. Gurney, said he thought some more like the hand-writing of De Berenger than the rest; the smaller parts most like; (being pressed as to the whole, said he did not know what to say). He said he was puzzled because the writing was in pencil.

General Campbell had known Mr. C. Johnstone some years; met him in Scotland at a hunt last September; saw in his hands a prospectus of a plan for a new cottage to be called Vittoria; (looked at one produced and thought it the same.

Lord Yarmouth was Colonel of the Cumberland Volunteers. De Berenger was a non-commissioned officer and adjutant: knew him since he commanded the corps in 1811: had receivd many letters from him, and had seen him write: knew his hand as well as any other gentleman's with whom he was in the habit of corresponding (he looked at a letter put into his hand, and said he did not think it to be the hand-writing of De Berenger.) De Berenger had talked to him about an American appointment, but he (Lord Yarmouth) did not choose to interfere.

He then looked at a letter put into his hand by Mr. Gurney, and said he had received it from De Berenger: looked at another, but said he did not feel competent to speak to the similarity of hand-writing: thought the R. in the name R. De Bourgh was like, but saw no other letter which he should suspect.

Examined by Lord ELLENBOROUGH.—Said the uniform was a green body turned up with crimson.

A Juryman asked whether it was wrong to appear in the street in uniform. Lord Yarmouth said no: it would be more military, but it was not insisted on.

Sir John Beresford knew Mr. De Berenger; in January made an application to the Horse Guards about him, at the request of Sir Alexander Cochrane.

Mr. Stokes was clerk to Mr. Tahourdin: had been so three or four years; knew well the writing of De Berenger, for he saw it perpetually, and had seen him write. Looked at a paper, and firmly believed it not to be De Berenger's. Thought the large R. not at all like his hand.

Wm. Smith was servant to Mr. De Berenger had been so for three years and a half: knew his hand-writing: thought the letter signed R. De Bourgh, not at all like it: recollected that he slept at home on Saturday-night (19) went out on Sunday, and came back about 11. he went out again, and returned in 20 minutes; went out again about four o'clock; witness himself went out soon after, and returned at eleven at night; master was not at home, but came in five minutes afterwards, and slept at home; heard him go up stairs to bed: his master went out the next morning, and returned about three o'clock; the wife of the witness made his bed.

Cross-examined by Mr. GURNEY.—Said that he let him in on Sunday night; (looked at a letter which he said he had written to Lord Yarmouth of his own mind): had his military gre, coat here; had never acknowledged that his master slept out; had never said so to Mr. Murray, or to Mr. Davison; nor that he had

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left the key for him. Did not attend his master in the morning: he was a gentleman that wanted no attendance till breakfast; he was a quiet man; remembered changing a 50l. with Mr. Sacks; received it from Mr. De Berenger; received also a 20l. from him the day before he went away; had no recollection of a 2£. note. Did not remember Mr. C. Johnstone calling the day before his master went finally away; did not tell Mr. Davison that his master would have gone off on Saturday, if Mr. Johnstone had brought the letter sooner; his master dined out on the 21st, but did not sup where he had been; saw a black coat that day which was not his master's; drew the affidavit which he made from his own mind; had seen no one on the subject; Lord Cochrane he never saw; did not speak to Mr. C. Johnstone, nor Mr. Tahourdin upon it: took the affidavit to Mr. C. Johnstone afterwards.

Examined by Lord ELLENBOROUGH.—Said, he was sure his master was at home on the Sunday evening.

Mr. Smith, the wife of the last writness, recollected Mr. De Berenger being at home on Sunday the 20th of February; he went out about four, and she and her husband went out, and returned about eleven. Her husband went in first, she stopped to get some beer: her master was there when she returned: she made the bed always: she rose on Monday about seven: he went out before breakfast, and before her husband went out: she made the bed on Sunday, and on Monday again, about twelve o'clock, after her master had returned: the bed as usual when he slept in it: did not herself sleep in it: her husband did not: her husband and she slept in their own bed. Her master had a black coat on when he returned on Monday, and a bundle in his hand: saw a great coat wrapped up in it.

Crofs-examined by Mr. Bolland.—Said her master had no other fervants: never rang for water in his bedroom to fhave: he ufed cold water. She was rather furprifed that he had not rung for breakfaft on the Monday. On the Sunday her maffter went out in a black coat: did not obferve the coat on Monday, whether it was too large. She made the affidavit of her own accord. Her maffter fometimes went out in his green drill drefs. Did not know what was done with her affidavit. Her maffter fometimes wore whifkers, but fhe did not know how often: fhe feldom faw him.

John M'Guire, oftler at Mr. Smith's yard, at Chelfea, was well acquainted with the defendant's perfon, and remembered him on the Sunday in queftion; he remarked it was Sunday, becaufe he was in the Rules: he had lived at Chelfea before that time; it was a quarter paft 6 in the evening, at the yard-gateway. He asked if the 6 o'clock coach to London was gone; witnefs told him it was, and the 7 would go in three quarters of an hour; he faid he would not wait, and went towards London. He mentioned this to his wife that night, viz, that he had feen Smith's maffter *at a quarter paft fix*. The defendant went from Chelfea to the Rules.

On the crofs-examination he faid, he had known De Berenger 4½ years. He told the defendant's fervant, Smith, what he had feen on 7th March, and Smith faid his maffter was not out of rules, and he was furprifed at his being feen at Chelfea; he had a black coat, grey waiftcoat, and overalls or pantaloons; he had no whifkers.

In anfwer to a queftion by Lord Ellenborough, he faid, he made the obfervation to Smith, becaufe he thought it wrong that the defendant fhould be out of the rules. The place was three miles from the Afylum.

Thomas Hooper, architect, faw Mr. C. J.'s premises, Alfop's-buildings, two nights ago; he looked at the plans, which he likewife faw then, and a profpectus *for living out the plan*; *he could not fay what was a reasonable compenfation for the trouble of furveying, laying out and planning, but thought from 200l. to 300l. might not be excessive.*

Ann M'Guire, wife of the laft witness but one, said, that her husband did mention to her at the time what he had teftified. It was the Sunday before Shrove Tuesday, and her firft child's birth-day. Her husband wondered whether the defendant had got his liberty or not.

Mr. Tregear remembered being at Mr. Donathorn's, cabinet-maker, York-ftreet, Weftminfter, in February: he went on the 17th: he let his houfe, 39, Holborn, on that day, and ftaid there till now. He remembered seeing De Berenger there twice on the 20th very particularly: the firft time was between nine and ten in the morning: the laft between eight and nine in the evening: he then ftayed there half an hour: the witness had seen him there about makings drawing of furniture for Mr. Donathorn. The witness is out of business; he was a hatter in Holborn: his wife and Mr. and Mrs. D. were in the parlour in the evening: the defendant said he would not come in to difturb the company, and retired with Mr. D. The witness had no doubt of his person.

On cross-examination he said he had not whifkers: the witness did not know whether he was used to wear them. He did not look so particularly into a gentleman's face as to see whether he had whifkers. (The witness had himself large whifkers.) The defendant had a black coat that evening: he went into the garden with Mr. D.: he did not know whether snow was on the ground: Mr. D. wanted some alteration in the premises, & they went to look, at them at nine o'clock, in February. He had never seen the defendant with Mr. Tahourdin till laft week: he had not known they were acquainted before. The alterations in the garden were not made yet. He went to Mr. Tahourdin with Mr. Donathorn, to become a witness; he did not know before laft week that he was to be a witness. He recollected the circumftance in the morning, because Mr. D. knocked at the door where he slept, and said De B. was come.

In answer to a queftion from Lord Ellenborough, he said he had lately juftified as bail in small sums twice. He did not recollect whether he had been bail oftener.

Mrs. Tregear, wife of the laft witness, said, that Mrs. D. called her that morning, as there was a gentleman come to look over the house; fhe threw down the fash, and saw De B. in the garden; fhe saw him again in the evening between eight and nine; fhe is sure he was the man; he would not come in; and walked backwards into the garden with Mrs. D.

On her cross-examination, fhe said it was not Mr. D. who called then. She could not say whether Mr. D. or the defendant applied the rod to measure the garden; it was a wet morning, and rain had cleared the snow. They did not afterwards come into the room.

Mr. Donathorn remembered the laft witnefs coming to live with him, and very well feeing the defendant between nine and ten in the morning in queftion; he wanted to make fome alterations in his garden, and the defendant came about other work, viz. furnifhing Mifs Johnftone's houfe in Great Cumberland-ftreet. He alfo remembered the defendant's coming in the evening; they went into the back parlour then, not into the garden. He came again about the fame buſineſs; the witnefs was going to make the houfe an inn, and the garden a pleafure-garden; the defendant was to make a plan. In the morning they had a ten foot rod. It was a damp cold morning, mifty rain, and very cold.

On his crofs-examination, he faid the defendant came to town as a friend to Mr. C. J. It was the witnefs that called Mr. and Mrs. D. They afterwards went twice over the bed-room. Mr. Tahourdin was the witnefs's attorney, by the desire of the Honourable C. J. who thinks himfelf very ill ufed by a fet of villains. The witnefs has commenced 133 actions againft perfons of the Stock Exchange; Mr. C. J. is to fave him harmlefs.

Mr. Gurney proposed to call the honourable Mr. Murray, but Lord Ellenborough thought it unnecessary. "If you think this laft part about the *alibi* requires a reply," faid his Lordfhip, "you difparage the jury."

Mr. GURNEY then replied. He said, that the Learned Serjeant (Peil), who was concerned for the two defendants, who were implicated in what he had called the under-plot of this drama, had contended, that these were two seperate and diftinct conspiracies, and had insifted upon the acquittal of his clients upon this indictment, and very properly, if this were the case: but if this were two conspiracies, then had miracles not ceased; they were only two parts of one & the same conspiracy. In a conspiracy it was not necessary that every one of the parties fhould know all the others. It was enough if there was one general plan and end, and if each had his part assigned. It was plain that the parties in the second poft-chaise from Northfleet were cognizant of part, if not of all the conspiracy. They were seen lending themselves towards its execution. There was their own teftimony againft themselves. The defendant M'Rae, when the plan was ready to be divulged, came forward to disclose, not a part of the conspiracy, but the whole. The Learned Counsel for the defendant, who never abandoned his clients, had surrendered the defence of Mr. M'Rae; and the Learned Serjeant (Peil) contended that the whole of Messrs. Holloway and Lyte's confession muft be taken together, and they had expressly excluded the other parties. The Learned Counsel then proceeded to comment upon the defendant's transactions at the Stock Exchange, and said, that for them to get out without great loss, was in itself great gain; but it would be recollected, when the subsequent ill news arrived, omnium fell to 12 per cent.; and if this news had arrived on the morning of the 21ft of February, they would have been losers of 100,000.—As to their former large purchases of omnium, when once a man begins to buy, he muft go on to keep up the market, but the moment the falfe news arrived, they sold *all*.—It had been seen, that previously to this, they were buying in all directions, and by all sorts of brokers: they wanted more than brokers thought it prudent to take their credit upon buying. Upon the subject of the identity of the defendant De Berenger, an *alibi* had been set up; but such an one as no man living would believe, and no two witnesses agreed in. His Learned Friend (Mr. Park) had produced them the teftimony of two watermen who rowed the defendant across the Thames on this day, and remembered the circumftance from it being the firft day on which the river was open. They had not been produced: but even if they had, this was a case unassailable by any *alibi*; for, supposing the defendant's person had not been identified all the way as it had been, the learned Counsel had taken him up at Dover like a bale of goods, and had watched him all the way till he delivered him at the house of Lord Cochrane, and took his receipt from him; if he had not been identified by the boys all the way, he was by his Napoleons. Who was it that went to Lord Cochrane? it was not pretended to be other than Mr. De Berenger. If this had been a case in which the lives of the defendants had been in queftion, inftead of the case of a misdemeanour, had not many men been executed upon less evidence than this? If De Berenger was Du Bourgh, what became of all the criticisms on hand-writing with which the Court had been occupied? Mr. Lavie had made repeated observation of the defendant's hand-writing, having often seen him write, and made it with a view to the very proof in question; and he positively swore he believed the Dover letter to be in the defendant's disguised hand; but whether it was written by him or not, it was clear that he sent it to the Admiral of the Fleet. The defendant's witnesses had sworn that it did not resemble his *ordinary* hand-writing! no, he was not such a fool as to write it as he wrote every thing else. As Lord Yarmouth said, the letter in queftion was more angular and stiff. But those who disguise their hand-writing are sure to betray themselves at the end of their task; and Lord Yarmouth teftified that the capital R was very like that of the defendant's signature of his name "Random." The Learned Serjeant (Best) had laid a good deal of stress upon the defendant's (Lord Cochrane's) affidavit, who was said to be incapable of swearing falsely. Mr. Gurney should not have believed he could have done so some time ago. But he had dealt largely in speculation, and had involved himself so deeply, that there was no other way of extrication: and then he involved himself still deeper in crime. The great agent of this fraud had been traced to Lord Cochrane's house in the dress of his fraud: and his Lordfhip's affidavit as to the dress he wore was without confirmation. His Lordfhip said that he had a grey military great coat, a *green* uniform, and a fur-cap. Mr. Gurney had proved the uniform to have been *red*. But then it was said his Lordfhip's affidavit was made three weeks after the occurrence, and that he had confounded the green uniform which he ordinarily wore, with the red one which he then wore.—"If I am to make an observation as to a man's dress," said Mr. Gurney, "give me the only time when he wears a particular dress: the circumstance of De Berenger's having then for the first time a scarlet uniform, could not have escaped Lord Cochrane's observation. But if it had, there was the star and medallion!" But it was said that De Berenger could not wait on Lord Yarmouth in a green uniform, because, forsooth, it was the uniform of his own corps, and one in which it would have been not etiquette to have gone! Lord Cochrane, therefore, accommodated him with a black coat. The affidavit also swore, that the signature of the gentleman who sent for him was written so near the bottom of the slip of paper, that he could not read it; but it seemed that he found room to write a postscript at the foot of it. Two of Lord C.'s servants had not been called to confirm his affidavit: one of them, Davis, it was stated, was gone abroad with some Admiral, but no reason was given for not calling the maid-servant. His Lordship took credit for furnishing the name of the defendant, De Berenger; but *when* did his Lordship give this up? On the 11th of March, De Berenger having quitted London on the 21ft Feb. preceding, and being, as his Lordfhip had no doubt, out of the country. He had not gone to Protsmouth then; but to the North. The defendants had next proceeded to account for the bank notes found in De Berenger's letter-case: they knew the prosecutor's case very well, and prepared themselves accordingly. It was pretended, that all these notes were given for drawing: for these the defendant, De Berenger, had received 50l. on account: but no memorandum of this passed between him and Mr. C. Johnstone. It was only noticed in a postscript to a letter from De Berenger to him, beginning with an *à propos*. Then came his letter to Mr. C. J. in which he said that the latter had often been very pressing upon him to take money. When did this fit come upon him? on the 22d of February. There was then a receipt from Mr. C. J. for 200l. and a promissory note for 200l. more. Mr. Butt, who was the same with Mr. C. J. took one 200l. note to Messrs. Bond's, to get it exchanged for two 100l., and then the same agent was sent to the Bank to get the 100l. notes exchanged for 1£.'s. The same party performed the same offices for 200l. Of the former sum 67 1£. notes were found in De Berenger's writing desk: of the latter 49.

Lord Ellenborough then charged the jury. He said this was an offence of great malignity, and charged eight persons with wickedly conniving to effect a public injury. The evidence of such an offence, it was not to be expected, could be collected from the *mouths* of the parties, but must appear from their *conduct*; and if it appeared that they all entered into conspiracy for the same purpose, and that their endeavours combined to effects it, a foundation for such charge as the present was laid. The parties need not have seen one another before; as in case of rioters befetting a houfe at different times for the same purpose; or of houfe-breakers, some entering into one part of a houfe and some into another, at the same time. The acts of these persons prove that they have a joint contrivance; and so it was from these offences, up to treason. It was enough if such a conspiracy operated to the prejudice of the public, without the conspirators deriving any private corrupt advantage. The detriment which the public received from this falfe elevation of the funds was proved by the sum purchased by Mr. Steers that day as broker for the Accountant-General; and every one of the suitors of the Court of Chancery for whom stock was purchased on that day was a loser by it, as the stocks had risen in price on account of the false news. If it appeared that the expedition was auxiliary to the [illegible] the defendants were all guilty [illegible] spiracy; and the jury would [illegible] were not parts of the same; [illegible] pied each other in both, the [illegible] ed were disguises: these dis[illegible]

military; in both false news was to be propagated. The link between the two was proved by the defendant M'Crae's confession. He was to offer himself up for 10,000l, and of this sum Mr. C. Johnstone made the extraordinary proposal of advancing 3,000l. Why did he this, but to mislead the public, and make them think that M'Crae was the sole artificer in the fraud? The first question for the Jury was, whether the defendant De Berenger was the man who, on the 21ft of February at one o'clock in the morning, was taken up at Dover, and ultimately brought to the house of Lord C. himself. If the telegraph could have been worked on that morning, the 50,000l. would have been bought before De Berenger arrived in town, at the best time of the day, when the news was fresh. Upon the character of the Dover letter Lord Ellenborough observed, that it was written in an upright, artificial, unnatural hand, no two words alike, as men ordinarily write. But supposing it was not written by the defendant, if he had meditated the fraud was it not easy for him to bring the letter with him ready written, and go through the farce of writing at the inn? An *alibi* had been set up; but never since his Lordfhip had been present in a court of juftice, had he been so ftrongly convinced of the truth of evidence as of that which this *alibi* sought to overthrow. The witness who identified the defendant, threw their eyes about in every direction of the Court, and then, as if ftruck by electricity, fixed upon the defendant; this was the case in every inftance but one, in which the queftion was put "Is this the man?" as is every day done in criminal trials with respect to prisoners at the bar. The trifling variations in the witnesses evidence confirmed the teftimony, and excluded all idea of previous contrivance. If they were not to be believed, every man who had been hung from the Old Bailey had been murdered: all former evidence as to identity was so much weaker than this. As to the *alibi*, where did the defendant *dine* on the day in queftion? that had not been proved. His Lordfhip reprobated the phrase *hoax* which had been applied to this fraud by the defendant's letter: it was a robbery, a fraud upon the public, and was not to be treated as a matter of pleasantry. His Lordfhip then recapitulated the whole evidence, commenting thereupon as he proceeded. The Bricklayers' Arms, he said, was too near the King's Bench for the defendant to ftop at. Having hunted down the game, the prosecutors at laft fhewed what became of his fkin; and it was a very material fact, that the defendant De Berenger ftripped himself at Lord Cochrane's. He pulled his scarlet uniform off there and if the circumftance of its not being green did not excite Lord C.'s suspicions, what did he think of the ftar and medal? It became [illegible] discovering these, as an officer and a gentleman, to communicate his suspicions of the circumftances. Did he not ask De Berenger where he had been in this masquerade dress? for the Jury to say whether Lord C. did know where he had been. This was not the [illegible] a sharpfhooter, but a mountebank. He [illegible] before Lord C. fully blazoned in the colours of his crime.

Lordfhip then proceeded to read to the Jury [illegible] hole of the evidence, which took up nearly [illegible] urs. He observed, that as to Holloway's [illegible] ing to the Stock Exchange Committee, [illegible] e himself was concerned in a plan of deception [illegible] ormed for the purpose of raising the price of funds, but denying that in that plan he was at all connected with De Berenger or the Cochranes, this was a matter for the Jury to take into their serious consideration. They would consider whether [illegible] admitted gave credence [illegible] that h[illegible] de[illegible] or whether his scheme of [illegible] one of the ramifications of [illegible] charged in the indictment. As [illegible] swearing that De Berenger's [illegible] nce, on the morning of the [illegible] in it, it might well [illegible] d only laid down [illegible] dfhip had finifh[illegible] told the Jury [illegible] w before them; and [illegible] it was not only a great [illegible] t a queftion of great intereft to [illegible] ls concerned. If they believed that [illegible] s indicted had been connected in the sche[illegible] of raising the price of the funds by the manner which was ftated by many witnesses, and for the purposes charged in the indictment, they muft find the persons so concerned guilty. It was their province, from the evidence they had heard, to say whether any or all the persons indicted were guilty, or whether they believe some of them guilty, and others

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